

# EXHIBIT C

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AMEDEO DISCEPOLO

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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CARMELO MILLAN, Individually:  
and on Behalf of All Other :  
Persons Similarly Situated, :  
Plaintiff, :  
:  
vs. :  
:  
CITIGROUP, INC., and :  
CITIGROUP TECHNOLOGY, INC., :  
Defendants. : No. 07-CIV-3769

- - -  
Wednesday, February 20, 2008  
- - -

Oral deposition of  
AMEDEO DISCEPOLO, taken at the Locks Law Firm,  
110 East 55th Street, New York, New York,  
commencing at 11:05 a.m., before Jennifer S.  
Walker, a Federally Approved Registered  
Professional Reporter and Notary Public.

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1 BY MS. WALSH:

2 Q. Any other documents?

3 A. No.

4 Q. Okay. And when you say, "the  
5 interrogatories," are you referring to the  
6 defendant's responses to interrogatories  
7 served by the plaintiff, or do you know?

8 A. I'm not sure.

9 Q. Were they interrogatory  
10 responses that Citi -- that CTI provided?

11 THE WITNESS: Those were the  
12 ones. Right?

13 MS. BOUCHARD: (Nodding.)

14 THE WITNESS: Yes.

15 BY MS. WALSH:

16 Q. And with respect to the  
17 performance reviews, were those performance  
18 reviews of Carmelo Millan?

19 A. Yes.

20 Q. And were those performance  
21 reviews that you gave him, or were there  
22 others included in that?

23 A. It was the ones I gave him, as  
24 well as there was one from Paul Holder when

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1 Paul had management responsibility for  
2 Carmelo.

3 Q. So those were all the documents  
4 that you reviewed?

5 A. Yes.

6 Q. Did you provide any documents  
7 to your attorneys in connection with your  
8 deposition today or in connection with this  
9 case?

10 A. Yes, I have.

11 Q. What documents?

12 A. Reviewed year-end reviews, some  
13 e-mails related to various subjects, and I  
14 believe we provided the attendance memos that  
15 were sent as part of e-mails, um-hum.

16 Q. Anything else?

17 A. I think that's it.

18 Q. With regard to the e-mails, did  
19 you provide to your attorneys all e-mails that  
20 you could track that you had received from  
21 Carmelo Millan?

22 A. I provided e-mails that were  
23 dialogues between Carmelo and myself, yes.  
24 The ones I could look at, the ones I had

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1 A. No.

2 Q. And also with respect to "Sent  
3 Items," if there's nothing in your folder, is  
4 there a way to determine -- is there a way to  
5 retrieve e-mails that would have been sent by  
6 you to Mr. Millan?

7 A. I'm not sure.

8 Q. Did you make any efforts to  
9 determine if you could do that?

10 A. No.

11 Q. Did you talk to anybody at  
12 Citigroup Technologies -- sorry, before we go  
13 any further, I'm going to be referring to  
14 Citigroup Technologies as "CTI" for the  
15 purpose of the deposition.

16 Is that okay with you?

17 A. That's fine.

18 Q. If I refer to "Citigroup," I'm  
19 referring to Citigroup, Inc.

20 Is that okay?

21 A. Yup.

22 Q. Did you talk to anybody at CTI  
23 with respect to giving your deposition today?

24 A. Just my immediate boss.

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1 Q. And who's that?

2 A. Yesim Akdeniz. Y-E-S-I-M

3 A-K-D-E-N-I-Z.

4 Q. And when did you speak to  
5 Mr. -- Ms. Akdeniz?

6 A. Friday. Friday the 15th.  
7 February 15th.

8 Q. And what was the purpose of  
9 that conversation?

10 A. Just to let her know I would  
11 not be in the office, I'll be attending the  
12 deposition hearings and, you know, if she  
13 needed anything, I'd have to get back to her  
14 later in the day.

15 Q. Was she the only one at CTI who  
16 you discussed your deposition with?

17 A. Yes.

18 Q. Do you keep a file relating to  
19 this lawsuit?

20 A. Yes, I do.

21 Q. Where do you maintain that?

22 A. E-mail. It's on my e-mail  
23 system.

24 Q. So when you say it's on your

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1 deposition testimony?

2 A. No.

3 Q. Do you know if Thomas Saranello  
4 has been deposed in the case?

5 A. Yes, I heard he has.

6 Q. And have you reviewed his  
7 testimony?

8 A. I've seen bits and pieces, but  
9 I have not reviewed, I guess, an entire  
10 deposition or what constituted an entire  
11 deposition.

12 Q. But you've read some of his  
13 testimony from his deposition?

14 A. Yes.

15 Q. Did you speak to Mr. Saranello  
16 about his testimony?

17 A. No.

18 Q. Now, you gave me your address  
19 earlier, your business address?

20 A. Um-hum.

21 Q. You're currently an employee of  
22 CTI?

23 A. Yes, I am.

24 Q. And what's your current



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1 position with CTI?

2 A. Senior vice president in  
3 network engineering.

4 Q. And how long have you had that  
5 position for?

6 A. At least five years. I don't  
7 remember the exact date, but it was around  
8 2002, 2003, that I was promoted to senior vice  
9 president.

10 Q. And back in 2002, 2003, when  
11 you first started working as senior vice  
12 president in network engineering, can you tell  
13 me what your duties and responsibilities were?

14 A. I've always been in network  
15 engineering. The only thing that's changed is  
16 my corporate titles have changed as I've been  
17 promoted.

18 So back in 2002, 2003, I was  
19 responsible for technology engineering related  
20 to the network transport environment, as well  
21 as some voice-over-IP technology.

22 Q. And have those duties and  
23 responsibilities changed over the years since  
24 2002, 2003?

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1 Q. Now, as a network technician,  
2 you worked in that position from 1981 to 1985?

3 A. Yes.

4 Q. Or '86?

5 A. (Nodding.)

6 Q. What did you do as a network  
7 technician?

8 A. Worked in the network  
9 operations control center. Main  
10 responsibility was to identify, isolate and  
11 repair or foster repair of network troubles.

12 Q. And just to get back to your  
13 position, your current position as senior VP  
14 in network engineering --

15 A. Um-hum.

16 Q. -- is there a particular  
17 department within CTI that you work in?

18 A. It's networks. It's called  
19 networks.

20 Q. And who is the head of that  
21 department?

22 A. Yesim Akdeniz. Y-E-S-I-M  
23 A-K-D-E-N-I-Z.

24 - - -

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1 hired him approximately March or April of '05.

2 Q. So when you took over -- when  
3 you said you took over management  
4 responsibilities, what are you referring to  
5 specifically?

6 A. In the summer of '05, Yesim  
7 made a decision that Paul's team -- Paul, Les,  
8 Carmelo and Naseer would no longer report  
9 directly to Yesim, they would report up under  
10 me in addition to my other duties. So just  
11 another reorganization.

12 Q. So the function -- are the  
13 functions that Naseer Ibrahim is doing in the  
14 current category that he's listed in, are they  
15 the same as what he was doing back in '05 when  
16 you took over management responsibilities, or  
17 have they changed?

18 A. Same.

19 Q. Who is Brett Cashen?

20 A. Brett is an engineer that came  
21 over from the voice team, and he supports the  
22 product management piece of the environment  
23 from the voice and video technology domain.

24 Q. And what about James Rosario;

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1 who is he?

2 A. James is another product  
3 management person. He handles the data side,  
4 the network -- the data network and the  
5 perimeter network environments for us.

6 Q. And what are Naseer Ibrahim's  
7 current duties and responsibilities?

8 A. He is a lab coordinator  
9 servicing the Warren, New Jersey, lab  
10 infrastructure for us.

11 Q. And can you break down for me  
12 the specific duties and responsibilities that  
13 are involved with that?

14 A. Sure. BAU responsibility  
15 includes looking at requests that come in from  
16 the different engineering groups for --

17 Q. Can I interrupt you for one  
18 second? What does "BAU" stand for?

19 A. Business as usual.

20 Q. Sorry. Go ahead.

21 A. Sorry about that.

22 His responsibilities include  
23 servicing and working on requests from the  
24 different engineering teams that utilize the

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1 Warren lab facilities.

2 Those specific responsibilities  
3 would include receiving of equipment,  
4 unpacking of equipment, installing equipment,  
5 providing connectivity from the equipment to  
6 the network and to the management and  
7 surveillance systems.

8 They would also review the  
9 request to make sure it was complete, add in  
10 anything that was missing, talk with the  
11 engineers, work with the engineers on trying  
12 to figure out exactly what the engineers are  
13 trying to get done and ensure that it would  
14 fit within the scope and space of the Warren  
15 lab. On top of that, they do inventory  
16 control.

17 Q. When you say, "they" --

18 A. The lab coordinators --

19 Q. Okay.

20 A. -- provide --

21 Q. I'm asking about Naseer  
22 specifically, and then I'll ask further  
23 questions, but if you can just focus on Naseer  
24 for right now.

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1           A.       Yup. He provides inventory  
2     control. So he has a database that keeps  
3     track of the equipment that comes in and out  
4     of the lab and all of the connection points  
5     for that equipment so that if there are any  
6     issues, we can troubleshoot it.

7                   He also keeps track of the  
8     value of the equipment for an annual insurance  
9     questionnaire. He also reviews the lab access  
10    control list to ensure only authorized people  
11    have access to the lab. That's about it.

12           Q.       Okay. Now, you said -- you  
13    referenced lab coordinators. Is Naseer the  
14    only one who has these duties and  
15    responsibilities, or does he share them with  
16    others?

17           A.       There is -- you know, after  
18    Carmelo left, we hired another person. So  
19    there are two lab coordinators out in Warren  
20    right now.

21           Q.       Who have the same duties and  
22    responsibilities you just listed?

23           A.       Yes.

24           Q.       Do they share those duties and

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1 THE WITNESS: They provide a  
2 service to the engineering community.  
3 That service says they ensure that  
4 everything's working to what they  
5 installed.

6 If, after they install  
7 something, it's not working properly,  
8 the engineers would contact them and  
9 say, "This does not work," and they  
10 would go in and try to troubleshoot it  
11 and try to figure out what wasn't  
12 working. Did they have the cabling  
13 wrong, you know. Did they have a  
14 mismatch in speed, something like  
15 that.

16 BY MS. WALSH:

17 Q. So any functions in  
18 responsibility which are known as level-one  
19 functions for network support would be  
20 performed by the lab coordinators?

21 MS. BOUCHARD: Objection to  
22 form.

23 I don't think that there's been  
24 any definition of level-one support,

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1 include the two of them now -- as lab  
2 coordinators --

3 A. Okay.

4 Q. -- is receiving equipment. Can  
5 you tell me what's involved in that?

6 A. Yes. If an engineer is going  
7 to evaluate or certify new products, those new  
8 products get delivered from the vendor to our  
9 shipping dock. The mailroom will then deliver  
10 them to the lab, and the lab coordinator's  
11 role is to receive that equipment, place it in  
12 a storage room and then work with the engineer  
13 to deploy and install that equipment in the  
14 right fashion.

15 Q. Okay. So you said install and  
16 deploy the equipment. What's specifically  
17 involved, in layperson's terms, in installing  
18 and deploying the equipment?

19 A. What they would do is unpack it  
20 if they need to, install it in a cabinet or  
21 freestanding frame, plug it in, connect up the  
22 network cables, the management cables and the  
23 surveillance cables that would allow the  
24 engineers to gain access to the equipment from



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1 either outside the lab or from their desk.

2 Q. What are the management cables?

3 A. Just an Ethernet cable that  
4 connects the equipment to another device that  
5 allows engineers to gain access to the  
6 equipment.

7 Q. And you also said surveillance  
8 cables?

9 A. Same stuff. It's another  
10 Ethernet RJ45 cable that connects from the  
11 equipment to a different management box that  
12 will -- again, allows the engineers remote  
13 access into the device.

14 Q. And is that all that's involved  
15 in installing or deploying the equipment for  
16 engineers, or is there something else involved  
17 in that?

18 A. They would have to configure  
19 the surveillance system or the management  
20 system in order to accept the additional  
21 equipment cables. They would also supply IP  
22 addresses or, you know -- IP addresses to the  
23 equipment, and they have to do some basic  
24 configuration on the lab infrastructure to

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1 ensure that it is set up properly to  
2 communicate with the technology devices.

3 Q. What's involved, in layperson's  
4 terms, in configuring the surveillance and  
5 management systems?

6 A. Just installing the system,  
7 powering it on and then logging on to it from  
8 a management console and configuring the  
9 device.

10 Q. And, again, what's actually  
11 involved in supplying an IP address to the  
12 equipment?

13 A. Going to a database -- we have  
14 a set range of IP addresses that are assigned  
15 to engineers or engineering teams within the  
16 lab. They would just go to a database that  
17 was created to track those and assign the  
18 next, you know, logical IP address for that  
19 engineering team.

20 Q. You also said that they do some  
21 basic configuration on the lab infrastructure  
22 to ensure that it's set up properly to  
23 communicate with the technology devices?

24 A. Yes.

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1 Q. Again, if you can explain it to  
2 me in layperson's terms.

3 A. So in a lab, we have a set of  
4 devices that are used to connect lab equipment  
5 to the production network. That set of  
6 devices needs to be configured; how many ports  
7 we're using, what the card type is, what the  
8 speed of the ports are so that it matches up  
9 to the equipment that's being installed or  
10 accessed.

11 So if we have any problems  
12 where it's not configured properly -- we don't  
13 have the ports enabled, we don't have the card  
14 enabled -- we can't provide connections or  
15 service to the engineers.

16 Q. Currently, how many shipments  
17 are received on a weekly basis by the lab  
18 coordination team?

19 A. Offhand, a handful. Not a  
20 great deal. Approximately, I'll guess, three  
21 to five, at this point.

22 Q. You testified "at this point."  
23 Has it reduced over the course of the last few  
24 years?

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1 Q. And the Rutherford location?

2 A. Same thing, ten to 15. The  
3 majority were in Greenwich Street.

4 Q. And currently at the lab  
5 facility in Warren, how many engineers are  
6 employed?

7 A. I don't have exact numbers  
8 anymore.

9 Q. Can you estimate?

10 A. I would say there's still 250  
11 to 300 sitting out in Warren.

12 Q. Now, you said your current  
13 address is where?

14 A. Sixty-eight South Service Road  
15 in Melville, New York.

16 Q. Okay. So are you -- do some of  
17 your duties and responsibilities still relate  
18 to the Warren lab facility or no?

19 A. No.

20 Q. When did that end?

21 A. December 31st, 2007.

22 Q. Up until that point, were you  
23 actually located at the Warren lab facility?

24 A. No.

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1 Q. You were still located in  
2 Melville?

3 A. Yes.

4 Q. At any point in time, were you  
5 located at the Warren lab facility?

6 A. No.

7 Q. So from the time it moved  
8 there, you said the move was complete the  
9 third quarter of 2006?

10 A. Yes.

11 Q. From the time it moved there,  
12 you've never been actually physically located  
13 for work at the lab facility?

14 A. We -- I would go out there once  
15 a week, once every couple of weeks just to  
16 check in with the lab team, as well as part of  
17 my other team that was sitting out in Warren,  
18 but I did not occupy a full-time spot in  
19 Warren.

20 Q. How long have you been in the  
21 Melville location?

22 A. A year and a half.

23 Q. And where were you located  
24 before that?

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1 A. There was a site in Uniondale,  
2 Long Island, that we were sitting at.

3 Q. For how long were you located  
4 there?

5 A. I was there for about a year.

6 Q. And prior to that, where was  
7 your office?

8 A. 388 Greenwich.

9 Q. Was there a specific floor  
10 where your office was located?

11 A. Thirteen.

12 Q. And you just had one desk?

13 A. I had an office.

14 Q. You had an office?

15 A. Um-hum.

16 Q. And when did you -- when were  
17 you first located at the 388 Greenwich Street  
18 location?

19 A. I think in 1993.

20 Q. And was that always on the  
21 13th floor?

22 A. Yes.

23 Q. You testified that another  
24 responsibility of a lab coordinator currently

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1 is unpacking equipment?

2 A. Um-hum, yes.

3 Q. That, I think we've gone over  
4 with respect to the receiving equipment part  
5 of it.

6 Is there anything else with  
7 respect to unpacking equipment that you  
8 haven't testified to?

9 A. No.

10 Q. You also testified that one of  
11 their responsibilities is installing  
12 equipment. Again, other than what you've  
13 testified to with respect to the installation,  
14 is there anything else that you left out  
15 there?

16 A. No.

17 Q. You testified that the lab  
18 coordinator also reviews requests to ensure  
19 that they're complete. What's involved with  
20 that?

21 A. The engineers would submit a  
22 lab request form. And on that request form,  
23 it would give a description of what the  
24 engineer was trying to accomplish, whether

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1 that's installing new equipment, needs  
2 additional network connectivity, is changing  
3 speeds, anything related to his lab  
4 environment.

5 So the lab coordinators would  
6 review that and make sure that they could  
7 service or fulfill that requirement. And that  
8 included all the information that we need from  
9 a control compliance point of view.

10 Q. So those types of requests,  
11 would they include requests for new equipment?

12 A. Yes.

13 Q. And they'd include requests for  
14 changes to the environment that the engineer's  
15 working in?

16 A. Yes.

17 Q. Now, if you can explain to me  
18 the specific different types of requests that  
19 can be made, if you can break it down for me.

20 A. I would -- I would categorize  
21 it as three different types. One is for new  
22 installs. Second one would be to deinstall or  
23 remove equipment from the lab. Third would be  
24 to implement changes to existing environments



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1 within the lab.

2 Q. Under the third category, can  
3 you tell me the types of changes to the  
4 existing environment?

5 A. Yeah. A couple of the changes  
6 could be if an engineer has a server  
7 installed, and it only has one network  
8 connection today, and they're going to upgrade  
9 that server, and it requires two, four or  
10 eight connections, the engineers would have to  
11 ensure that they've got the IP address, they  
12 have the port capacity, they have the cable  
13 capacity to make those additional connections.

14 Q. You just said that the  
15 engineers would have to ensure that they  
16 had --

17 A. I'm sorry, the lab  
18 coordinators.

19 Q. Lab coordinators?

20 A. Yes. Sorry about that.

21 Q. You also said that one of their  
22 functions was to talk to engineers to ensure  
23 that the scope and space at the Warren lab was  
24 sufficient for what they wanted to do.

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1 If you can explain to me what  
2 that means in layperson's terms.

3 A. So if a engineer has a request  
4 that says, "I want to install Box A," the lab  
5 coordinators would review that request and  
6 say, "Okay. One, do we really understand what  
7 this is? Do we have the full dimension of the  
8 equipment listed here? How big is it?" You  
9 know, "What's the footprint that it's going to  
10 take up? Is it a standalone cabinet? Is it a  
11 rack-mountable device? What type of power  
12 does it need? Do we have to ask for any  
13 specific or special power requirements for  
14 that device? What type of network connections  
15 and management connections, and do we have all  
16 of the capacity that we need to service that  
17 request from the user?"

18 Q. Just to get back to the move to  
19 Warren, I think you testified that currently  
20 there's only a handful of shipments that come  
21 into the lab, about three to five per week.  
22 You said that that has been reduced  
23 dramatically since the move?

24 A. (Nodding.)

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1 again, I would think, you know, they were  
2 using similar processes that were put in place  
3 for Warren.

4 Q. You testified that another  
5 responsibility of the lab coordinators  
6 currently is inventory control?

7 A. Yes.

8 Q. Can you explain to me, in  
9 layperson's terms, what inventory control is?

10 A. Sure. What that means is, when  
11 equipment comes into the lab and they install  
12 it or they have to remove equipment, they go  
13 into a database and they update that database  
14 with the information.

15 If it's new equipment coming  
16 in, who requested it, what type of equipment,  
17 what's the value of the equipment and  
18 information like that, as well as the  
19 connectivity information.

20 And if they remove it, same  
21 thing; they pull it out and clear up the  
22 databases so that we can keep an accurate  
23 inventory of what's in the lab.

24 Q. What's the purpose of that?

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1           A.       A couple of purposes. One is  
2     to adhere to an annual insurance questionnaire  
3     that we need to fill out in order to  
4     approximate how much dollar value is within  
5     the lab and if something happened to that lab,  
6     what it would take to replace all of that  
7     equipment.

8                   And the other key point is  
9     really to make sure we have capacity planning  
10    for the lab so that we know how much space is  
11    there, how much infrastructure is available,  
12    how much power we're using.

13                  And the third part is to be  
14    able to service and assist the engineers if  
15    something is breaking and they need help.

16           Q.       Now, are the lab coordinators  
17    responsible for troubleshooting with respect  
18    to the network?

19           A.       With respect to the core lab  
20    network -- there's two pieces to the network.  
21    There's -- on the left side, you got the  
22    production network. On the right side, you  
23    have the lab network. They are responsible  
24    for the lab network.

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1                   So they configure the network,  
2   they run the cables that connect the devices  
3   to that network. And if something isn't  
4   working, they will assist the engineers in  
5   figuring out what's wrong, reconfiguring the  
6   network, reconfiguring the management  
7   stations, replacing a cable, stuff like that.

8           Q.       What's the difference between  
9   the production network and the lab network?

10          A.       Lab network is, you know,  
11   strictly on the right side of a firewall,  
12   which is a device to keep the network safe so  
13   that we can't get viruses or bad programs from  
14   the lab out onto the production network. The  
15   production network is where Citigroup and its  
16   businesses transact their daily work.

17          Q.       So the lab coordinators are  
18   responsible for troubleshooting the lab  
19   network only?

20          A.       Yes.

21          Q.       Is there anyone else involved  
22   in troubleshooting with respect to the lab  
23   network?

24          A.       Some of the engineers would

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1 other departments' lab equipment into that  
2 lab.

3 Q. In terms of the duties and  
4 responsibilities of the lab coordinator that  
5 we've just gone through -- and I think that  
6 covered all of the different categories that  
7 you testified to earlier -- is there anything  
8 else that we haven't covered that the lab  
9 coordinator is currently responsible for?

10 A. Just to make sure, do they  
11 have -- did I put down configuration of the  
12 lab core equipment, the lab core network?

13 Q. You could have, but I can't  
14 read my writing.

15 A. Hate when that happens.

16 Q. Let's go over that.

17 You said configuration of the  
18 lab?

19 A. Core network.

20 Q. Core network. Can you explain  
21 to me what that is?

22 A. I think I did now that I  
23 recall, but, yes, again, in the lab, there is  
24 a set of devices that is used to connect all

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1 of the engineer's test equipment to the  
2 production network.

3 Those devices -- Cisco  
4 switches, Cisco routers -- have to get  
5 configured with the proper cards, with the  
6 configuration files. They've got to load them  
7 up and bring them online and test them out.

8 MS. WALSH: Just off the record  
9 for a minute.

10 - - -

11 (Discussion off the record.)

12 - - -

13 (Recess 12:28-12:36 p.m.)

14 - - -

15 BY MS. WALSH:

16 Q. At some point in time,  
17 Mr. Millan reported to you in his job  
18 function. Is that correct?

19 A. Yes.

20 Q. When was that?

21 A. Specifically reporting to me  
22 would have been June, July of '06 through  
23 March '07.

24 Q. And did he report directly to

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1 you as of June, July '06, or was there an  
2 intermediary?

3 A. That was directly.

4 Q. And prior to that, who did he  
5 report to?

6 A. Paul Holder, who reported to  
7 me. And that was summer of '05.

8 Q. And what was the reason for the  
9 change?

10 A. Paul decided to move out of the  
11 engineering group into a security role. And  
12 at that point in time, I decided to have the  
13 lab coordinators report directly to me.

14 Q. So nobody replaced Paul Holder  
15 in that position?

16 A. No.

17 Q. What was his title prior to the  
18 move into surveillance or security?

19 A. He was a senior network  
20 engineer, and his corporate title may have  
21 been classified as a manager.

22 Q. So he was reporting to you, and  
23 Mr. Millan was reporting to him?

24 A. Yes.



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1 Q. From the summer of '05?

2 A. Mr. Millan was reporting to  
3 Paul prior to the summer of '05, but they  
4 moved Paul's team under me in the summer of  
5 '05.

6 Q. So from the summer of '05 to  
7 June, July '06, Mr. Millan was reporting to  
8 Mr. Holder who, in turn, was reporting to you?

9 A. Yes.

10 Q. What type of direct  
11 responsibilities, duties, if any, did you have  
12 over Mr. Millan during that time?

13 MS. BOUCHARD: During what  
14 time?

15 MS. WALSH: Summer of 2005 to  
16 June, July 2006.

17 THE WITNESS: Loose  
18 responsibility. I funneled most of my  
19 management stuff through Paul. The  
20 only specific thing I talked with  
21 Carmelo about was the lab migration  
22 project and stuff related to it.

23 BY MS. WALSH:

24 Q. Where was Mr. Millan's office

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1 or desk located at the time?

2 A. He was at 388 Greenwich.

3 Q. Was the summer of '05 the first  
4 time that you met Mr. Millan or came in  
5 contact with him, or were you familiar with  
6 him prior to that?

7 A. That was the first time.

8 Q. With respect to the lab  
9 migration, can you tell me the specific  
10 interaction you would have with him?

11 A. Yeah, after that team was moved  
12 under me, I understood from Yesim that the  
13 migration was a major thing, and I needed to  
14 become familiar with it.

15 So I met with Paul and Carmelo  
16 to have them bring me up to speed with what  
17 was going on, where the project plan was and  
18 how we're doing on the project.

19 Q. What was Carmelo's role with  
20 respect to the lab migration?

21 A. It was his responsibility to  
22 handle the migration to Warren. It was his  
23 role to develop the plan, to work with the  
24 other engineering teams to make sure we

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1 understood all the equipment that was going  
2 out there. He laid out or configured the  
3 Warren lab space and all the connectivity. It  
4 was his game to win. It was all his.

5 Q. So the first thing you said  
6 was, his role was to develop the plan. What  
7 was involved with that?

8 A. He was utilizing Microsoft  
9 Projects, I believe, to identify all of the  
10 major deliverables and all of the tasks  
11 associated with those deliverables, what the  
12 start/end dates were, what their current  
13 status comments were and who owned the  
14 responsibility.

15 Q. When you say, "major  
16 deliverables," is that the delivery of the  
17 equipment out to Warren?

18 A. It could have been broken into  
19 a few different things such as equipment  
20 inventory, shipping and receiving of equipment  
21 from the labs to Warren. Floor layout --  
22 floor diagrams, floor layouts for the cabinet  
23 or the infrastructure within Warren, the  
24 connectivity to's and from's or the

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1 interconnections of all of their pieces of  
2 equipment within the Warren lab.

3 Q. Did he do the floor layouts and  
4 floor diagrams, or did somebody else do those?

5 A. I believe he did those. He may  
6 have had help from one other team.

7 Q. Which team was that?

8 A. That would have been the data  
9 center planning team, we call it -- or we  
10 called it at that point in time.

11 Q. Were they engineers or --

12 A. They were engineers, but they  
13 did not report to Yesim; they were a separate  
14 organization.

15 Q. So aside from developing the  
16 plan for the move, which you just testified  
17 about, you said to work with the other  
18 engineering teams.

19 What was involved specifically  
20 in Mr. Millan working with other engineering  
21 teams as it related to the move to Warren?

22 A. That would have been to ensure  
23 that he gets a coordinator assigned from the  
24 other team.

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1 Q. Which other team?

2 A. Any of the engineering teams,  
3 you know.

4 Q. So there was a coordinator for  
5 each of the engineering teams that was kind of  
6 assigned to cover the move to Warren?

7 A. Yes, to work with Carmelo on  
8 the move to Warren.

9 Q. So he had to ensure he had a  
10 coordinator from each of those teams to work  
11 with him?

12 A. They would get a coordinator,  
13 they would supply the current inventory of the  
14 labs, Carmelo would review the inventory, pose  
15 questions back to engineers if something was  
16 missing, make sure he had all the information  
17 he needed so that when that equipment showed  
18 up in Warren, he knew where it belonged, who  
19 it goes to, what connections, what power, all  
20 that stuff that we've talked about.

21 Q. So he would get that inventory  
22 from the coordinator from each of the  
23 different engineering teams?

24 A. Yes. Let me just clarify that.

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1 From the -- from the remote -- the 250 West,  
2 the 111 Wall and Rutherford labs, the 388  
3 Greenwich lab, he had responsibility for that  
4 inventory and everything there.

5 Q. You also said that he was  
6 responsible for laying out or configuring the  
7 Warren lab space and all connectivity?

8 A. Yes.

9 Q. Can you tell me, in layperson's  
10 terms, what that involved?

11 A. Yup. So you have a room like  
12 this, he's going to figure out where the  
13 cabinets get placed in the room. He's going  
14 to figure out what equipment goes in what  
15 cabinet and what cable connectivity has to  
16 come back from that equipment to the main  
17 central patching frame.

18 Q. Did he determine where people  
19 were going to sit?

20 A. He determined where the  
21 equipment would go in the cabinets. There  
22 were no people out there.

23 Q. Just what you testified to with  
24 respect to the Warren lab migration and

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1 Mr. Millan's job responsibilities with respect  
2 to that, anything else that he had  
3 responsibility for that you haven't testified  
4 to?

5 A. Assembling the equipment  
6 purchases. And what that entailed was making  
7 sure that we had all the equipment we needed  
8 in order to build out the Warren lab.

9 So identifying how many  
10 cabinets, how many shelves, what type of  
11 cables, how much core infrastructure equipment  
12 was needed, whether they were routers,  
13 switches, management platforms, stuff of that  
14 nature, tools that you could use.

15 Q. Anything else?

16 A. I think that's it for the  
17 migration.

18 Q. Now, during the migration, was  
19 Mr. Ibrahim already an employee within that  
20 department?

21 A. Yes.

22 Q. Did he -- was he responsible  
23 for any -- or did he perform any of the duties  
24 and responsibilities with respect to the

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1 Warren lab migration that you just testified  
2 to?

3 A. For the most part, it was  
4 Carmelo. Naseer was hired, again, in March or  
5 April of '05, so he was pretty new. And  
6 Carmelo was actually, you know, training and  
7 giving him some oversight as to how the lab  
8 works, what to do, how to handle a request.

9 Q. Did Naseer report to -- did  
10 Mr. Ibrahim report to Mr. Millan?

11 A. Not officially, no.

12 Q. Who did he report to?

13 A. Initially, to Paul. And then  
14 in June, July of '06, through '07, they both  
15 reported to me.

16 Q. Did Mr. Millan have any hiring  
17 responsibilities?

18 A. Not that I'm aware of.

19 Q. Did he -- sorry.

20 A. Go ahead.

21 Q. Did he have the power to  
22 discipline an employee?

23 A. Not from the time they came  
24 under my management control, no.



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1 Q. Before that, did he have that  
2 responsibility?

3 A. Not that I'm aware of.

4 Q. Could he fire an employee?

5 A. I don't believe so.

6 Q. Was he considered a manager?

7 A. I believe he was considered an  
8 engineer or an analyst.

9 Q. Prior to you taking direct  
10 managerial responsibility for Mr. Millan, who  
11 was responsible for completing employment  
12 evaluations for him?

13 A. Paul Holder. Again, from when  
14 I took responsibility in '05, Paul did the  
15 performance review for '05, Paul did the  
16 midyear review in '06, and I did year-end in  
17 '07 -- I mean, in '06.

18 Q. When Paul had the  
19 responsibility for doing the reviews midyear,  
20 year-end reviews, did you have any input with  
21 respect to those reviews?

22 A. Yes, I did.

23 Q. What was your input?

24 A. Just making sure I agreed with

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1 what Paul put down, if I noticed any  
2 improvement areas that would benefit Carmelo  
3 or anyone else. So time management, project  
4 management, classes, you know, recommended  
5 that he take a few of those.

6 Q. Was there a reason specifically  
7 that you recommended that he take a  
8 time-management class?

9 A. Primarily just -- we like to  
10 have all of the engineers run through that so  
11 that they get a better understanding of how to  
12 do time management as it relates to all the  
13 projects that come in. We have a lot of work  
14 that comes in, and you really have to figure  
15 out how to handle the load.

16 Q. At the time Mr. Millan started  
17 reporting to you directly, how many hours per  
18 week was he working?

19 A. I would -- based on the reports  
20 that I eventually started pulling in August  
21 and I believe October, I would think, you  
22 know, from what I saw, he was working 35,  
23 37 hours a week.

24 Q. And that was from June 2006?

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1 are you suggesting that there was just  
2 a label put on him? Because he was  
3 doing different functions.

4 MS. WALSH: Well, we can argue  
5 about that.

6 MS. BOUCHARD: Okay. Let's  
7 leave that stipulation if and when we  
8 need to get into those class issues.

9 MS. WALSH: Okay.

10 BY MS. WALSH:

11 Q. Do you know if the lab ever  
12 used a help center with respect to technical  
13 issues?

14 A. Warren, definitely not. 388, I  
15 don't believe so. And, you know, from the  
16 time I took management responsibility, we  
17 definitely did not use any centralized help  
18 center. And I can't attest to anything with  
19 the other labs.

20 Q. Are the lab coordinators  
21 required to have any certifications to perform  
22 their job functions?

23 A. It's not required, but  
24 certifications are always a benefit or a plus.

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1 Q. What type of certifications are  
2 beneficial?

3 A. Could be a couple in the lab;  
4 networking, Cisco-related networking and, you  
5 know, server-related Windows or UNIX  
6 certifications would be a benefit to them so  
7 that they could really dialogue and have good  
8 conversations with the engineers.

9 Q. Does Mr. Ibrahim have any of  
10 those certifications?

11 A. I'm not sure if he has a  
12 certification, but we -- he did attend  
13 technical training last year in pursuit of a  
14 certification.

15 Q. For which certification?

16 A. It would be one of the Cisco  
17 tracks, whether it's the CCNA or the CCNP.

18 Q. And what about Mr. Sorrentino?

19 A. As far as I know, he does not  
20 have any certifications.

21 Q. Did Mr. Millan ever complain to  
22 you that he was overworked in his position as  
23 lab coordinator?

24 A. I believe the discussions we

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1 Q. Now, you said you checked the  
2 records at the Warren facility to see what  
3 time Mr. Millan was coming and going?

4 A. When I noticed that we were  
5 having attendance issues, I worked with HR to  
6 figure out how to handle it, and they  
7 suggested that -- we came to an agreement that  
8 I could use the swipe-in/swipe-out methodology  
9 and have him specifically use the main  
10 swipe-in/swipe-out when he enters and leaves  
11 the building so that we have a clear track  
12 record.

13 Q. So did you instruct him at some  
14 point to use the main swipe-in/swipe-out?

15 A. Yes.

16 Q. When did it come about that you  
17 noticed that there were attendance issues?

18 A. Definitely in August of '06. I  
19 believe that's when we issued the first  
20 warning, but I would think, you know, the  
21 month or two, you know, the June/July time  
22 frame when he started reporting to me  
23 directly, I started noticing or hearing things  
24 that no one can find anyone, no one's around,

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1 - - -

2 (Whereupon, a document was  
3 marked for identification purposes  
4 as Discepolo-4.)

5 - - -

6 BY MS. WALSH:

7 Q. Mr. Discepolo, I'm going to  
8 give you an exhibit that's being marked as  
9 Discepolo-4. And for identification purposes,  
10 it is a two-page document Bates stamped  
11 CTI0000363 to 364.

12 A. Okay.

13 Q. I'm going to ask you to take a  
14 look at that document, so let me know when  
15 you're ready.

16 A. (Reviewing.)

17 Okay.

18 Q. Do you recognize this document?

19 A. Yes, I do.

20 Q. What is it?

21 A. It's a document I wrote up to  
22 address Carmelo's attendance issues.

23 Q. Is this the document you  
24 testified to that you prepared in -- I think

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1 you said August of 2006. Is that correct?

2 A. Yes, it is.

3 Q. And the date on it is  
4 September 6th, 2006?

5 A. Um-hum.

6 Q. Would that refresh your  
7 recollection with respect to the specific time  
8 frame wherein you met with Mr. Millan?

9 A. Yes. Yes.

10 Q. And would -- would the date on  
11 this memo be the same date that you met with  
12 him or a different date?

13 A. It may have been a day later or  
14 a couple days later as I wrote this in my  
15 office. And by the time I got out to see him  
16 in Warren, it could have been a day or two  
17 later.

18 Q. In the -- in the first  
19 paragraph of the memo, it says, "The purpose  
20 of this formal written warning is to address  
21 your overall attendance over the past few  
22 months which affects your performance and our  
23 team's efforts. This issue has been discussed  
24 with you on several occasions."

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1 Should these be of a personal nature, you're  
2 encouraged to contact the Firm's Employee  
3 Assistance Program (E.A.P.), a confidential  
4 employee counseling service to discuss the  
5 problem or seek assistance."

6 Firstly, did Mr. Millan discuss  
7 with you any personal issues that were  
8 affecting his attendance?

9 A. Not at this meeting. Not  
10 related to this, but, you know, earlier in  
11 2006, he had some personal issues where he  
12 took some time off, and he went on disability  
13 for a few weeks.

14 Q. When was that?

15 A. I'm going to say the end of  
16 March, April, May time frame.

17 Q. 2006?

18 A. Yes.

19 Q. And for how many weeks did he  
20 go on disability?

21 A. I believe it was at least two.

22 Q. And what -- sorry.

23 A. Go ahead.

24 Q. What was the reason for that?



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1 say to him during the conversation?

2 A. "Take the time you need. Take  
3 your time. Use the employee services. Get  
4 the help, whatever it is that you think you  
5 need to straighten out."

6 - - -

7 (Whereupon, a document was  
8 marked for identification purposes  
9 as Discepolo-5.)

10 - - -

11 BY MS. WALSH:

12 Q. I'm going to give you another  
13 exhibit, Mr. Discepolo. This one is being  
14 marked as Discepolo-5. And for identification  
15 purposes, it's a two-page document that's been  
16 Bates stamped CTI0000365 to 6.

17 I'm going to ask you to look at  
18 that document and let me know when you're  
19 ready.

20 A. (Reviewing.)

21 Okay.

22 Q. Do you recognize that document?

23 A. Yes, I do.

24 Q. What is it?

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1           A.       It's a formal written warning  
2     notice that I gave to Carmelo in January of  
3     '07 -- or dated January '07 -- for his  
4     attendance issues.

5           Q.       And was this -- does this  
6     refresh your recollection with respect to the  
7     second meeting you had with Mr. Millan as to  
8     the time frame?

9           A.       Yeah. This one actually didn't  
10    go to Carmelo until late February, I believe  
11    it was.

12          Q.       Why was that?

13          A.       I don't think there was any  
14    specific reason. Him being out days, me being  
15    out days, just time to get together. Also  
16    probably getting HR to review it and agree to  
17    it.

18          Q.       Now, this one, the "Re" in this  
19    one is "Final Formal Written Warning"?

20          A.       Um-hum.

21          Q.       What is your understanding with  
22    respect to that description of the memo?

23          A.       My understanding was that this  
24    is the final warning he would get and that if

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1 he didn't straighten out his attendance issue,  
2 it could lead up to dismissal.

3 Q. And did Mr. Millan sign and  
4 acknowledge this memo in your presence?

5 A. He acknowledged it. I don't  
6 believe he signed this one.

7 Q. Any reason why?

8 A. Not that I recall, but I  
9 don't -- I don't know if I have a signed copy  
10 of this one.

11 Q. Subsequent to you meeting with  
12 him in February of '07 to discuss this memo,  
13 did you have any subsequent conversations with  
14 him regarding attendance?

15 A. No.

16 Q. Did you have any subsequent  
17 conversations with him regarding him being  
18 overworked?

19 A. No.

20 Q. Did you have any other  
21 conversations with him at any time regarding  
22 his stress level?

23 A. No.

24 Q. Did his attendance improve

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1 after you meeting with him in February of  
2 2007?

3 A. Honestly, if I recall properly,  
4 this was given to him late in February and,  
5 within a day or two, he announced his  
6 resignation.

7 Q. How did he announce his  
8 resignation?

9 A. If I remember correctly, he let  
10 us know that he resigned, and then there was a  
11 small e-mail exchange, I guess, between him  
12 and I where I asked him to put it in black and  
13 white. And then he wanted to know about his  
14 vacation time, and I told him I'd get back to  
15 him or HR would have to get back to him with  
16 that information.

17 Q. Did you have a conversation  
18 with him after he tendered his resignation?

19 A. I'm sure I did. It was  
20 probably a real brief conversation, just him  
21 explaining that he couldn't -- couldn't work  
22 within the company anymore.

23 Q. At some point in time, was  
24 Mr. Millan involved in the drafting of a

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1 Process Control Manual for global engineering?

2 A. Yes, he was.

3 Q. When was that?

4 A. I think he initially drafted  
5 the PCM when he was working for Paul prior to  
6 my management responsibility, but as I became  
7 familiar with that environment, we were always  
8 looking to improve the PCM and bring it up to  
9 date and make sure it really described what  
10 they did in the lab.

11 Q. What was the purpose of the  
12 PCM?

13 A. Just a general process manual  
14 for lab coordinators to understand what their  
15 roles and responsibilities are in the lab,  
16 govern or give a set of rules that should be  
17 followed when you're performing work in the  
18 lab.

19 Q. Did a PCM exist for the lab  
20 prior to Mr. Millan drafting it, or do you  
21 know?

22 A. I don't know. I think that's  
23 the first one I ever saw, so...

24 Q. Were Process Control Manuals

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1 mandated throughout CTI in every department at  
2 a certain point in time?

3 A. I can't attest to the other  
4 departments. Within engineering, there were  
5 certain PCMs created for different aspects of  
6 engineering work.

7 Q. And beyond having general  
8 processes documented, what was the purpose of  
9 doing that?

10 A. Just -- again, just to ensure  
11 that all of the engineers or personnel  
12 involved in certain aspects are following the  
13 same guidelines and rules when they do their  
14 work. And if you bring new people on board,  
15 it gives them a point to start to understand  
16 how things are done within the environment.

17 Q. So is it used for training  
18 purposes?

19 A. Not training, but just to give  
20 them -- give a new employee a guideline as to  
21 how things get done for what they --

22 Q. Sorry. Go ahead.

23 A. Go ahead.

24 Q. To familiarize them with the

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1 rules and responsibilities?

2 A. Um-hum. Or certain processes  
3 that would have to get followed.

4 - - -

5 (Whereupon, a document was  
6 marked for identification purposes  
7 as Discepolo-6.)

8 - - -

9 BY MS. WALSH:

10 Q. I'm going to show you another  
11 exhibit. This one is being marked as  
12 Discepolo-6, and it is a -- an 11-page  
13 document that's Bates stamped for  
14 identification purposes CTI00001167 through  
15 77.

16 A. Okay.

17 Q. And I'm going to ask you to  
18 have a look at that and let me know when  
19 you're ready.

20 A. (Reviewing.)

21 Okay.

22 Q. Do you recognize what's being  
23 marked as Exhibit 6?

24 A. I recognize it in the format

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1 Q. And the listing of  
2 responsibilities there, is that an accurate  
3 reflection of the responsibilities that  
4 Mr. Millan and Mr. Ibrahim would have had as  
5 lab coordinators at the time?

6 A. Yes.

7 Q. What is loaner equipment?

8 A. If an engineer is going to  
9 evaluate a new piece of technology from Compaq  
10 or HP, HP or Compaq would give them demo gear  
11 or loaner hardware for them to do the  
12 evaluation and then ship it back to them after  
13 they finished their evaluation.

14 Q. Physical lab access control, I  
15 know you testified earlier that relates to the  
16 actual personnel who were allowed to have  
17 access to the lab?

18 A. Yes.

19 Q. What's yearly reconciliation  
20 with respect to that? What does that involve?

21 A. That involves getting a report  
22 from security for the badge reader assigned to  
23 the lab doors and showing a list of who has  
24 access to that badge reader and then just



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1 running through it and saying, "I know these  
2 people, I know these people, they're good,  
3 they're good. Look, we've got HR people with  
4 access to the lab. They don't belong here.  
5 Take them off the list."

6 Q. Okay.

7 A. Okay?

8 Q. What is inter-engineering  
9 discipline liaison?

10 A. I would take that as a  
11 consultant-type role to work with different  
12 engineering groups that are trying to test  
13 something, and the lab coordinators would  
14 facilitate or help those groups come together  
15 and make sure that the product that they want  
16 to test is going to work in the lab.

17 Q. And, specifically, how would  
18 they do that?

19 A. They would see a lab request  
20 come in, it says, you know, the voice team is  
21 going to work with the storage team or they  
22 have a requirement for storage, yet they  
23 haven't spoken to the storage team yet.

24 So Carmelo, Naseer or any of

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1 the lab coordinators would review that, get in  
2 touch with both parties and say, "Let's get  
3 together. Let's have a quick meeting. Let's  
4 figure out what we're doing here," and try to  
5 bring that to closure.

6 Q. And overall lab caretakes,  
7 gatekeepers. What does that entail?

8 A. I think that's a general catch  
9 bucket there that says they are responsible  
10 for the lab, no one should be doing anything  
11 within the lab, except for the lab  
12 coordinators. They do all the work in the  
13 lab, no one else should be doing it.

14 Q. And what is SME peer group?

15 A. SME is a -- an engineering --  
16 it's a label we give to an engineer. It's --  
17 it's really dictating that he's the expert in  
18 that field or in that technology.

19 Q. Do you know what "SME" stands  
20 for?

21 A. Got a block right now.

22 MS. BOUCHARD: Subject matter  
23 expert.

24 THE WITNESS: Thank you.

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1           A.       Again, when we install  
2     equipment in the lab, we have to give it an IP  
3     address in order for it to talk on a network.

4           So, as I stated before, we  
5     assign blocks of addresses to the different  
6     engineering teams. As they put more and more  
7     equipment in, we pick out IP addresses to  
8     assign to the next.

9           Q.       So it's the assignment of the  
10    IP addresses and the keeping of that  
11    information in the database?

12          A.       Yes.

13          Q.       Just to go back to Exhibit 7,  
14    the same page, Page 5, under Number 4, it  
15    says, "Responsible for lab environmental"?

16          A.       Um-hum.

17          Q.       What does that mean?

18          A.       So that means within that lab  
19    space, we have electrical and cooling  
20    requirements. So we had some monitors built  
21    into the lab so that we can measure how much  
22    electricity is being used within the lab. And  
23    we have a threshold; can't go above that  
24    threshold or we have issues.

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1                   And the cooling we have built  
2   on top of each cabinet is a monitor. And the  
3   cabinet shouldn't go above 75 degrees  
4   Fahrenheit. If it does, equipment can start  
5   failing and all that stuff. They do a  
6   walk-through once a day just to check the  
7   environment out and make sure it's okay.

8                   Q.     And make sure they haven't  
9   exceeded those levels?

10                  A.     Yes.

11                  Q.     Sir, you testified earlier that  
12   when Mr. Holder was responsible for doing  
13   performance evaluations that you would have  
14   certain input to it when you were manager.

15                         Back in 2004, before you had  
16   supervisory responsibilities over Mr. Holder  
17   and Mr. Millan, I assume you would not have  
18   any input into the performance evaluations  
19   that Mr. Holder was doing at the time?

20                  A.     Correct.

21                  Q.     But by year end, 2005, by then,  
22   you would have had input into it?

23                  A.     Yes.

24                                 - - -

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1 please.

2 (Reviewing.)

3 Yes, it does (sic). Um-hum.

4 Q. And on the third page of the  
5 document under "Description," was this a  
6 description that you created that described  
7 the position that was being advertised to  
8 replace Mr. Millan?

9 A. Yes.

10 Q. What was Mr. Millan's salary  
11 prior to him resigning?

12 A. I believe it was 61, 62,000  
13 base salary.

14 Q. And was there a bonus that was  
15 allocated to his position?

16 A. Bonuses are never guaranteed.  
17 It's based on performance throughout the year.

18 Q. Did he get a bonus at the end  
19 of 2006?

20 A. No.

21 Q. Did he get a bonus at the end  
22 of 2005?

23 A. Yes, he did.

24 Q. What was his bonus at the end

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1 of 2005?

2 A. Tough question. I think it was  
3 10 or 12,000. I don't recall exactly.

4 Q. Who determined the bonus at the  
5 end of 2005?

6 A. That was a combination of  
7 myself and Yesim.

8 Q. What bonus did Mr. Ibrahim get  
9 at the end of 2005?

10 A. Zero.

11 Q. Were there any other bonuses  
12 given out during the course of the year?

13 A. No.

14 Q. When was the 2005 bonus  
15 determined? When were the numbers determined?

16 A. The annual comp cycle starts in  
17 October, and it really can run right up until  
18 the week before the bonuses are given out. So  
19 changes can happen. So that's, you know,  
20 January of the following year.

21 Q. Do you know at what point in  
22 time Mr. Millan's bonus was determined in that  
23 cycle?

24 A. Again, it would have started

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1 Q. A programmer?

2 A. That's how I would equate it.

3 Q. Did Mr. Millan ever work as a  
4 computer systems analyst?

5 A. I have no idea.

6 Q. Under you, did he ever work in  
7 the lab as a computer systems analyst?

8 A. Not in that term I wouldn't use  
9 it, no.

10 Q. Did he ever do any computer  
11 programming when he reported to you?

12 A. If we considered creating  
13 databases and spreadsheet files to keep track  
14 of the inventory and the elevation drawings  
15 and the connectivity database, yes, I would  
16 consider that.

17 Q. Did he actually create the  
18 database, or did he enter information into an  
19 already existing database?

20 A. As far as I know, he built the  
21 database.

22 Q. What kind of a database was it?

23 A. Just an Excel database. He  
24 laid out the field structure, he figured

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1 out -- he put in the fields that were  
2 required, and then he put in all the data  
3 related to all the equipment.

4 Q. So was it an Excel document or  
5 something more complicated than that?

6 A. For the most part, it's an  
7 Excel document with some links.

8 Q. So it's not like an Access  
9 database?

10 A. It's not Access, it's Excel.

11 Q. But it's a document as opposed  
12 to a database?

13 A. We use the terms  
14 interchangeably with Excel and Access. You  
15 can do some key stuff with Excel now with all  
16 the tables and the pivots and the feature  
17 functionality that they've built into it.

18 Q. You said there were some links?

19 A. Yeah. They -- you know,  
20 Carmelo and Naseer were able to figure out  
21 ways to embed text into the Word doc where you  
22 click on a Word doc or click on the Excel file  
23 or click on the elevation diagram, and it  
24 would show you the pertinent information



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1 related to that equipment.

2 Q. So, like, a link to another  
3 document?

4 A. Yup.

5 Q. Do you consider that to be  
6 computer programming?

7 A. It is if you don't know how to  
8 do it. Right? Not being coy. Yes, I would  
9 consider it -- I mean, some of it is -- you  
10 know, I can't do it.

11 Q. Did he work for you as a  
12 software engineer?

13 A. No.

14 Q. When he worked for you, did his  
15 job involve the application of systems analyst  
16 techniques, analysis techniques?

17 A. Yeah.

18 Q. What specifically?

19 A. Analyzing a request that came  
20 in, making sure the capacity in the  
21 environment within the lab could support it,  
22 making sure that what the engineers think they  
23 want done is really going to work from a  
24 network infrastructure and connectivity point

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1 of view.

2 Q. Nothing beyond what you already  
3 testified to earlier. Correct?

4 A. Correct.

5 Q. And was he involved in  
6 designing computer systems?

7 A. I would consider the whole  
8 build-out or design of the lab and all its  
9 interconnectivity a system, its topology and  
10 assembly. You've got to make sure all the  
11 piece parts work together seamlessly in order  
12 for it to work.

13 Q. So the build-out of the Warren  
14 facility you would consider falling into the  
15 category of design of computer systems?

16 A. I would.

17 MS. WALSH: I don't have any  
18 other questions.

19 MS. BOUCHARD: I don't have any  
20 questions.

21 - - -

22 (Witness excused.)

23 - - -

24 (Deposition concluded at 3:52